

FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

NANCY RUTH MATTHEWS, RN, :
RESPONDENT :

FINAL DECISION AND ORDER
96 NUR 202

LS97071113NUR

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Nancy Ruth Matthews, RN
434 Erie Avenue
Sheboygan, WI 53081

Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Nancy Ruth Matthews, RN (D.O.B. 01/27/57) is duly licensed as a registered nurse in the state of Wisconsin (license #74691). This license was first granted on September 1, 1979.
2. Ms. Matthews' most recent address on file with the Wisconsin Board of Nursing is 434 Erie Avenue, Sheboygan, WI 53081.
3. On March 1, 1994, Ms. Matthews' Wisconsin nursing registration expired, and Ms. Matthews did not renew her registration until November 11, 1996. During that period of time,

Ms. Matthews continued to work as a nurse for Sheboygan Internal Medicine Associates in Sheboygan, Wisconsin.

4. In resolution of this matter, Ms. Matthews consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct described above, Nancy Ruth Matthews is subject to disciplinary action against her license to practice as a registered nurse in the state of Wisconsin, pursuant to secs. 441.06(4) and 441.07(1), Stats. and Wisconsin Administrative Code §§ N7.04(1) and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Nancy Ruth Matthews, RN is REPRIMANDED.

IT IS FURTHER ORDERED that the license of Ms. Matthews is LIMITED as follows:

1. Within thirty (30) days from the date of this Order, Respondent shall submit documentation to the Board certifying that she has notified the following of her work as a nurse without current registration:

a. All employers where Respondent worked as a nurse between March 1, 1994 and November 11, 1996;

b. All private insurance carriers (if any) who provided coverage and paid for nursing services performed by Respondent during the time period between March 1, 1994 and November 11, 1996; and

c. E.D.S. Federal, 6406 Bridge Road, Madison, WI 53784, if Medicare/Medicaid provided coverage and paid for nursing services performed by Respondent during the time period between March 1, 1994 and November 11, 1996.

2. Within ninety (90) days from the date of this Order, Respondent shall submit proof of conducting a presentation of a nursing staff in-service acceptable to the Board on the subject of the importance of maintaining current licensure, and the potential consequences of practice without current licensure registration.

3. Within thirty (30) days from the date of this Order, Respondent shall pay partial costs of this proceeding in the amount of one hundred (\$100.00) dollars. **Payment shall be made via certified check or money order and shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to Department Monitor, Division of Enforcement, PO Box 8935, Madison, WI 53708-8935.**

4. This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By: Wendy D. Burckhardt
A Member of the Board

11 July 1997
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST :	:	STIPULATION
NANCY RUTH MATTHEWS, RN,	:	96 NUR 202
RESPONDENT	:	

It is hereby stipulated between Nancy Ruth Matthews, personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Ms. Matthews' licensure by the Division of Enforcement. Ms. Matthews consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Matthews understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify her; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Ms. Matthews is aware of her right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

4. Ms. Matthews agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Board of Nursing assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering

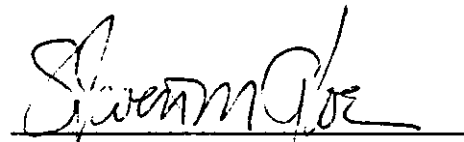
TEC: 1/10/96

questions that the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Ms. Matthews in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.


Nancy Ruth Matthews, RN

May 23, 1997
Date


Steven M. Gloe, Attorney
Division of Enforcement

5.30.97
Date

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 8935, Madison, WI 53708-8935

(608)

TTY# (608) 267-2416
TRS# 1-800-947-3529

hearing or speech
impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On July 11, 1997, the Board of Nursing
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: \$100.00 Case #: LS97071113NUR

The amount of the forfeiture is: _____ Case # _____

Please submit a check or a money order in the amount of \$ 100.00

The costs and/or forfeitures are due: August 10, 1997

NAME: Nancy Ruth Matthews LICENSE NUMBER: 74691

STREET ADDRESS: 434 Erie Avenue

CITY: Sheboygan STATE: WI ZIP CODE: 53081

Check whether the payment is for costs or for a forfeiture or both:

X COSTS _____ FORFEITURE

Check whether the payment is for an individual license or an establishment license:

X INDIVIDUAL _____ ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

Make checks payable to:

DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935

#2145 (Rev. 9/96)
Ch. 440.22, Stats.
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For Receipting Use Only

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE BOARD OF NURSING

In the Matter of the Disciplinary Proceedings Against

Nancy Ruth Matthews, RN,

AFFIDAVIT OF MAILING

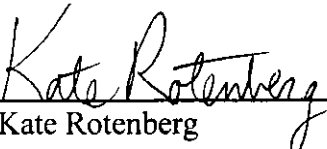
Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On July 15, 1997, I served the Final Decision and Order dated July 11, 1997, and Guidelines for Payment of Costs and/or Forfeitures, LS97071113NUR, upon the Respondent Nancy Ruth Matthews, RN by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 157 338.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

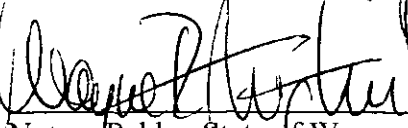
Nancy Ruth Matthews, RN
434 Erie Avenue
Sheboygan WI 53081



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 15th day of July, 1997.



Notary Public, State of Wisconsin
My commission is permanent

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN BOARD OF NURSING

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

July 15, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)